

State of South Dakota

SEVENTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2003

929I0024

SENATE BILL NO. 91

Introduced by: Senators Olson (Ed), Greenfield, and Ham and Representatives Olson (Mel)
and Schafer

1 FOR AN ACT ENTITLED, An Act to revise the minimum age requirements for enrollment in
2 kindergarten and first grade.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-28-2 be amended to read as follows:

5 13-28-2. Any child who is five years old on the first day of ~~September~~ June is eligible for
6 enrollment in kindergarten during that school year. Any child who is six years old by ~~September~~
7 June first is eligible for enrollment in first grade during that school year. Any child in a
8 kindergarten or prekindergarten program who was in compliance with the statutory eligibility
9 dates in effect at the time of his enrollment may proceed in a continuous educational program
10 without interruption. Any child who transfers from another state may proceed in a continuous
11 educational program without interruption.

12 Any child under the age of five is eligible for admittance to a nursery school.

13 Section 2. That § 13-27-1 be amended to read as follows:

14 13-27-1. Every person having control of a child who is six years old by the first day of
15 ~~September~~ June and who has not exceeded the age of sixteen, shall cause the child to regularly



1 and annually attend some public or nonpublic school for the entire term during which the public
2 school in the district in which the person resides, or the school to which the child is assigned to
3 attend, is in session, until the child reaches the age of sixteen years, unless excused as provided
4 in this chapter.

5 Any child under age six enrolled in any elementary school or kindergarten program is subject
6 to the compulsory attendance statutes of this state. A waiver of the compulsory attendance
7 requirement for children under the age of seven years of age shall be granted by the school
8 district upon the request of the parents.